

REMARKS

Claims 22-44 are in the application. Claims 22-33 are withdrawn based on a restriction requirement and are cancelled herein. Claims 34 – 44 were rejected under Section 102 or Section 103 based on Hori (U.S. 6,208,916) alone or in combination with Mountz (U.S. Application No. 2004/0010337). Applicant respectfully requests allowance of the application in view of the foregoing amendments and the argument which follows.

It is submitted that the rejections are now moot in view of the amendment presented. By way of example, claim 34 is now fully distinguished over the Hori reference. The prior art does not disclose applicant's material transport monitoring system for use in and about a facility, for monitoring the movement of material by a transport mechanism. The system of claim 1 requires the combination of

“a first data processing device ... at least one detection device ... wherein the detection device is mountable to the transport mechanism ... a second data processing device positionable on or within the transport mechanism ... [and]

a plurality of response units positioned at fixed locations about the facility and cooperatively coupled with the detection device to provide the information determinative of coordinates ...”

Further, applicant's claim 34 now requires use of one or more wireless links for effecting data transfer from the detection device to the first data processing device and for effecting communication between the first and second data processing devices. Upon receiving signals from the detection device, the response units provide signals to the detection device. Accordingly, position coordinates of the transport mechanism are determinable and locations of material can also be determined.

None of the foregoing is taught or suggested by the art of record. Further, each of the dependent claims defines one or more features which further distinguish the invention. By way of example, the detection device recited in claim 40 provides current position information to the first data processing device for determination of current speed and position angle of the transport mechanism. By way of example, the system of claim 41 is configured to define material pick-up points with respect to a material-relevant point on the transport mechanism. The system of claim 42 is configured to “define material relevant points for different types of transport mechanisms including stacker trucks; define elevation coordinates in conjunction with the planar position coordinates; and determine a position angle of the transport mechanism relative to a storage


location.” The material transport system according to claim 42 is configured to verify and provide storage inventory information according to discrete storage locations.

Conclusion

For all of these reasons it is submitted that the application is now in conditio0n for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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